

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SHAWN SOUTHERLAND :

Plaintiff, :

ORDER

-v.- :

25 Civ. 976 (JHR) (GWG)

ALVIN L. BRAGG, JR. et al., :

Defendants. :

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GABRIEL W. GORENSTEIN, UNITED STATES MAGISTRATE JUDGE

The defendants have now responded to the complaint in letters dated July 7, 2025 and July 10, 2025 (Docket ## 29, 30) by seeking permission to file a motion to dismiss or for summary judgment. The plaintiff has responded by letter dated July 11, 2025 (Docket # 34). After considering these letters, the Court grants the defendants' request for permission to file a motion to dismiss or in the alternative for summary judgment. The Court will set a schedule for that motion shortly.

Before issuing a scheduling order under Fed. R. Civ. P. 16, however, the Court seeks to determine if defendants are seeking a stay of discovery. If defendants are seeking a stay of discovery, they shall make the application by formal motion or by letter filed on or before July 28, 2025. If defendants file such an application, plaintiff may respond on or before August 18, 2025. If defendants do not timely file such a motion, the Court will issue an order under Rule 16.

SO ORDERED.

Dated: July 21, 2025
New York, New York



GABRIEL W. GORENSTEIN
United States Magistrate Judge